

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Oct 19, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

BLAKE CHAPMAN and ALICIA  
CHAPMAN, individually and as the  
marital community thereof,

Plaintiffs,

vs.

ALLSTATE PROPERTY AND  
CASUALTY INSURANCE  
COMPANY, an Illinois Corporation,  
doing business in the State of  
Washington; BILL JONES  
CONSULTING LLC, a Washington  
Limited Liability Company, doing  
business as A-1 CONSTRUCTION  
AND REMODELING,

Defendants.

No. 2:23-CV-00201-MKD

ORDER OF DISMISSAL

**ECF No. 9**

Before the Court is the parties<sup>1</sup> Stipulated Dismissal With Prejudice and

Without Costs and Fees, ECF No. 9. The parties stipulate to dismissal of “all

<sup>1</sup> Alicia Chapman joins in this stipulation. Ms. Chapman was reportedly named as

1 claims and causes of action by Plaintiffs against Defendants,” with prejudice and  
2 without an award of fees or costs to any party. ECF No. 9 at 1-2. Pursuant to Fed.  
3 R. Civ. P. 41(a)(1)(A)(ii), a plaintiff may dismiss an action without court order by  
4 filing a stipulation of dismissal signed by all parties who have appeared. The  
5 stipulation is signed by all parties who have appeared.

6 Defendant Bill Jones Consulting LLC has not appeared in this matter.  
7 Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), a plaintiff may dismiss an action without  
8 court order by filing a notice of dismissal before the opposing party serves either  
9 an answer or a motion for summary judgment. As the Stipulated Dismissal  
10 pertains to “Defendants,” not just to Defendant Allstate, ECF No. 9 at 2, the Court  
11 construes it to serve as Plaintiffs’ notice of dismissal, filed before Defendant Bill  
12 Jones Consulting served an answer or motion for summary judgment.

13 Accordingly, **IT IS ORDERED:**

14 1. The parties’ Stipulated Dismissal With Prejudice and Without Costs  
15 and Fees, **ECF No. 9**, is **GRANTED**.

16  
17  
18 a plaintiff in the original complaint filed in Spokane County Superior Court on  
19 June 12, 2023, but not a named plaintiff in the Amended Complaint filed on June  
20 13, 2023. ECF No. 1 at 2 ¶ 1.

ORDER - 2

2. Pursuant to Rule 41(a)(1)(A)(i)-(ii) and the parties' stipulation, all claims are **DISMISSED** with prejudice, without an award of fees or costs.

3. Any pending motions are **DENIED** as moot.

4. All hearings and other deadlines are **STRICKEN**.

**IT IS SO ORDERED.** The District Court Executive is directed to file this order, provide copies to counsel, and **CLOSE** the file.

DATED October 19, 2023.

s/Mary K. Dimke  
MARY K. DIMKE  
UNITED STATES DISTRICT JUDGE